

Amendments to the drawings:

A replacement sheet of drawings, showing Figs. 8, 9, and 10, is submitted herewith, with Fig. 9 amended to show a three-dimensional or helical configuration, as described in the specification, for example, at page 8, lines 14 *et seq.*, and in original claims 6 and 8 as filed.

REMARKS/ARGUMENTS

This paper is submitted in response to the Office Action mailed December 15, 2004.

Reconsideration is respectfully requested.

Claim 1-8 were examined, and all were rejected. By this amendment, claims 1-8 have been cancelled and have been replaced by new claims 9-14. As explained below, it is respectfully submitted that claims 9-14 define patentably over the art of record.

New claims 9-11 relate to the embodiment of the invention illustrated most specifically in Fig. 8. In this embodiment, the flexing portion that is included in one or both of the horizontal and vertical pipe sections comprises “a plurality of recurvate sections connected end-to end in a substantially sinusoidal configuration having a wavelength and amplitude such that the curvature of the flexing portion allows the passage of tools through the flexing portion.” Support for this limitation is found in the specification at page 9, lines 12-21. None of the art or record specifies or suggests that the curvature of the flexing portion be limited in such a way as to allow the passage of tools through the flexing portion, as claim 9 now recites. Therefore, it is respectfully submitted that claim 9 is patentable over the art of record.

Claim 10 depends from claim 9 and specifically defines the amplitude and wavelength of the sinusoidal configuration as being within the limits specified in Table 1 in the specification. No such specific parametric limitations are specified or suggested by the art of record. Therefore, it is respectfully submitted that claim 10 is patentable over the art of record.

Claim 11 depends from claim 9 and defines a flexing portion being included in both the horizontal and vertical pipe sections, as shown in Fig. 13. Again, this structure is neither shown nor suggested in the art of record. Therefore, it is respectfully submitted that claim 11 defines patentably over the art of record.

Claim 12 is similar to claim 9, except that it defines the flexing portion(s) as defining “a substantially helical configuration having a pitch and a radius such that the curvature of the flexing portion allows the passage of tools through the flexing portion.” This claim thus relates to the embodiment most specifically illustrated in Fig. 9. As mentioned above with respect to claim 9, the prior art of record contains no teaching or suggestion of such a limitation. Therefore, it is respectfully submitted that claim 12 is patentable over the art of record.

Claim 13 depends from claim 12 and defines the pitch and radius of the helical configuration as being within the limits specified in Table 2 in the specification. As with claim

10, discussed above, the cited art is silent with regard to such parametric values. Therefore, claim 13 is respectfully submitted to define patentably over the cited art.

Claim 14 depends from claim 12, and like claim 11, discussed above, it defines a flexing section as being included in both the horizontal and vertical pipe sections. As with claim 11, nothing in the art of record suggests such a structure. Therefore, it is respectfully submitted that claim 14 defines patentably over the art of record.

The specification has been amended to recite the current abandoned status of the parent applications, and to correct a typographical error relating to the reference to a drawing figure. No new matter has been added.

Applicant has noted the objection to the drawings. Fig. 9 has been amended to more clearly show the three-dimensional or helical configuration described in the specification and in original claims 6 and 8 as filed. No new matter has been added. Figure 8 has not been amended, as it is felt that it already adequately shows a two-dimensional or sinusoidal configuration.

In summary, it is respectfully submitted that claims 9-14 define patentably over the art of record, taken singly or in any combination that might reasonably suggest itself to those of ordinary skill in the art. The objections to the specification and drawings having been addressed by this amendment, allowance of the application is respectfully requested.

Respectfully submitted,



HOWARD J. KLEIN
Registration No. 28,727

Date: March 15, 2005

Klein, O'Neill & Singh, LLP (Customer No.: 22145)
2 Park Plaza, Suite 510
Irvine CA 92614
Tel: (949) 955-1920
Fax: (949) 955 1921
E-mail: hjklein@koslaw.com

Attorney Docket No. 713-22-CIP